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Meeting of States Parties

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Annual report of the International Tribunal for the Law of the Sea for 2013

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I. Introduction

1. The present report of the International Tribunal for the Law of the Sea is submitted to the Meeting of States Parties under rule 6, paragraph 3 (d), of the Rules of Procedure for Meetings of States Parties and covers the period from 1 January to 31 December 2013.

2. The Tribunal was established by the 1982 United Nations Convention on the Law of the Sea. It functions in accordance with the relevant provisions of parts XI and XV of the Convention, the Statute of the Tribunal, as contained in annex VI to the Convention, and the Rules of the Tribunal.

II. Organization of the Tribunal

3. The Tribunal is composed of 21 members, elected by the States Parties to the Convention in the manner provided for in article 4 of the Statute.

4. As at 31 December 2013, the composition of the Tribunal was as follows:

Order of precedence	*Country*	*Date of expiry of term of office*
President		
Shunji Yanai	Japan	30 September 2014
Vice-President		
Albertus Jacobus Hoffmann	South Africa	30 September 2014
Judges		
Vicente Marotta Rangel	Brazil	30 September 2017
L. Dolliver M. Nelson	Grenada	30 September 2014
P. Chandrasekhara Rao	India	30 September 2017
Joseph Akl	Lebanon	30 September 2017
Rüdiger Wolfrum	Germany	30 September 2017
Tafsir Malick Ndiaye	Senegal	30 September 2020
José Luis Jesus	Cape Verde	30 September 2017
Jean-Pierre Cot	France	30 September 2020
Anthony Amos Lucky	Trinidad and Tobago	30 September 2020
Stanislaw Michal Pawlak	Poland	30 September 2014
Helmut Türk	Austria	30 September 2014
James Luta Kateka	United Republic of Tanzania	30 September 2014
Zhiguo Gao	China	30 September 2020

Order of precedence	*Country*	*Date of expiry of term of office*
Boualem Bouguetaia	Algeria	30 September 2017
Vladimir Vladimirovich Golitsyn	Russian Federation	30 September 2017
Jin-Hyun Paik	Republic of Korea	30 September 2014
Elsa Kelly	Argentina	30 September 2020
David Joseph Attard	Malta	30 September 2020
Markiyan Z. Kulyk	Ukraine	30 September 2020

5. The Registrar of the Tribunal is Philippe Gautier (Belgium). The Deputy Registrar is Doo-young Kim (Republic of Korea).

III. Chambers

A. Seabed Disputes Chamber

6. In accordance with article 35, paragraph 1, of the Statute, the Seabed Disputes Chamber consists of 11 judges selected by the Tribunal from among its elected members. The members of the Chamber are selected triennially.

7. During the thirty-second session, on 6 October 2011, the Tribunal selected the current members of the Seabed Disputes Chamber. The composition of the Chamber, in order of precedence, is as follows: Judge Golitsyn, President; and Judges Marotta Rangel, Nelson, Chandrasekhara Rao, Akl, Wolfrum, Ndiaye, Jesus, Türk, Gao and Bouguetaia, members.

8. The terms of office of the members of the Chamber expire on 30 September 2014.

B. Special chambers

1. Chamber of Summary Procedure

9. The Chamber of Summary Procedure is established in accordance with article 15, paragraph 3, of the Statute and consists of five members and two alternates. In accordance with article 28 of the Rules, the President and the Vice-President of the Tribunal are ex officio members of the Chamber, with the President of the Tribunal serving as President of the Chamber. The Chamber is constituted annually.

10. During the thirty-sixth session of the Tribunal, on 8 October 2013, the Chamber was constituted for the period from 1 October 2013 to 30 September 2014. The members of the Chamber, in order of precedence, are as follows: Judge Yanai, President; Judge Hoffmann, Vice-President; Judges Lucky, Kateka and Golitsyn, members; and Judges Paik and Attard, alternates.

2. Chamber for Fisheries Disputes

11. On 20 February 1997, the Tribunal established the Chamber for Fisheries Disputes in accordance with article 15, paragraph 1, of the Statute.

12. During the thirty-second session, on 4 October 2011, the Tribunal selected the current members of the Chamber for Fisheries Disputes for a three-year term. The composition of the Chamber, in order of precedence, is as follows: Judge Ndiaye, President; and Judges Cot, Pawlak, Kateka, Gao, Paik, Kelly, Attard and Kulyk, members.

13. The terms of office of the members of the Chamber expire on 30 September 2014.

3. Chamber for Marine Environment Disputes

14. On 20 February 1997, the Tribunal established the Chamber for Marine Environment Disputes in accordance with article 15, paragraph 1, of the Statute.

15. During the thirty-second session, on 4 October 2011, the Tribunal selected the current members of the Chamber for Marine Environment Disputes for a three-year term. The composition of the Chamber, in order of precedence, is as follows: Judge Lucky, President; and Judges Wolfrum, Cot, Bouguetaia, Golitsyn, Paik and Kelly, members.

16. The terms of office of the members of the Chamber expire on 30 September 2014.

4. Chamber for Maritime Delimitation Disputes

17. On 16 March 2007, the Tribunal established the Chamber for Maritime Delimitation Disputes in accordance with article 15, paragraph 1, of the Statute.

18. During the thirty-second session, on 4 October 2011, the Tribunal selected the members of the Chamber for Maritime Delimitation Disputes for a three-year term. The composition of the Chamber, in order of precedence, is as follows: Judge Yanai, President; and Judges Nelson, Chandrasekhara Rao, Akl, Wolfrum, Ndiaye, Jesus, Cot, Pawlak, Gao and Bouguetaia, members.

19. The terms of office of the members of the Chamber expire on 30 September 2014.

IV. Meetings of the Tribunal

20. In 2013, judicial meetings of the Tribunal took place as follows:

(a) **Case No. 18 on the list of cases of the Tribunal (Merits):**

The M/V "Louisa" Case (Saint Vincent and the Grenadines v. *Kingdom of Spain)*

The Tribunal met from 26 February to 6 March, from 3 to 8 May, and from 22 to 24 May 2013 to consider and adopt the draft judgment. The Tribunal delivered its judgment on 28 May 2013;

(b) **Case No. 19 on the list of cases of the Tribunal (Merits):**

The M/V "Virginia G" Case (Panama/Guinea-Bissau)

Initial deliberations of the Tribunal were held on 29 and 30 August 2013. The oral proceedings took place from 2 to 6 September and the Tribunal met for deliberations from 13 to 27 September 2013. According to the schedule of proceedings, the judgment in this case will be delivered in the second quarter of 2014;

(c) **Case No. 21 on the list of cases of the Tribunal (Advisory opinion):**

Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)

The Tribunal met on 24 May 2013 to consider and adopt an order.

(d) **Case No. 22 on the list of cases of the Tribunal (Urgent proceedings):**

The "Arctic Sunrise" Case (Kingdom of the Netherlands v. Russian Federation), Provisional Measures

The Tribunal met from 4 November to 21 November 2013 to deal with the urgent proceedings instituted by the Netherlands on 21 October 2013. The Tribunal delivered its order on 22 November 2013.

21. The Tribunal also held two sessions devoted to legal and judicial matters as well as organizational and administrative matters: the thirty-fifth session of the Tribunal was held from 11 to 22 March and the thirty-sixth session from 30 September to 11 October 2013.

22. The Tribunal decided to hold its thirty-seventh session from 10 to 21 March 2014, to deal with legal matters having a bearing on the judicial work of the Tribunal and organizational and administrative matters.

V. Judicial work of the Tribunal

A. *The M/V "Louisa" Case (Saint Vincent and the Grenadines v. Kingdom of Spain)*

23. On 24 November 2010, Saint Vincent and the Grenadines instituted proceedings before the Tribunal against Spain in a dispute concerning the arrest of the M/V *Louisa* (case No. 18 on the list of cases). The application instituting proceedings included a request for the prescription of provisional measures under article 290, paragraph 1, of the Convention. The Tribunal delivered its order on this request on 23 December 2010.

24. On 12 January 2011, the President set time limits for the filing of the memorial by Saint Vincent and the Grenadines and the counter-memorial by Spain. The time limits were extended by a further order, dated 28 April 2011, to 10 June 2011 for the memorial and 10 November 2011 for the counter-memorial. The memorial was filed within the time limit so prescribed.

25. By an order dated 30 September 2011, the Tribunal authorized the submission of a reply by Saint Vincent and the Grenadines and a rejoinder by Spain and fixed 11 December 2011 and 11 February 2012, respectively, for the filing of those pleadings.

26. On 4 November 2011, the President issued an order extending once again the time limits for the submission of pleadings in the case. The time limit for the filing of the counter-memorial was extended to 12 December 2011, and those for the reply and the rejoinder to 10 February and 10 April 2012, respectively. The counter-memorial of Spain, the reply of Saint Vincent and the Grenadines and the rejoinder of Spain were filed within the extended time limits.

27. The hearing took place from 4 to 12 October 2012, during which the Parties presented their oral statements at 13 public sittings. In accordance with article 75, paragraph 2, of the Rules, the parties presented the following final submissions:

On behalf of Saint Vincent and the Grenadines, at the hearing on 11 October 2012:

The Applicant requests the Tribunal to prescribe the following measures:

(a) declare that the Tribunal has jurisdiction over the Request;

(b) declare that the Request is admissible;

(c) declare that the Respondent has violated articles 73 (2) and (4), 87, 226, 227, 300, and 303 of the Convention;

(d) order the Respondent to release the *Gemini III* and return property seized;

(e) declare that the boarding and detention of the M/V *Louisa* and *Gemini III* was unlawful;

(f) declare that the detention of Mario Avella, Alba Avella, Geller Sandor and Szuszky Zsolt was unlawful and abused their human rights in violation of the Convention;

(g) declare that the Respondent denied justice to Mario Avella, Alba Avella, Geller Sandor, Szuszky Zsolt and John B. Foster and abused the property rights of John B. Foster;

(h) order that the Respondent is prohibited from retaliating against the interests of Mario Avella, Alba Avella, Geller Sandor, Szuszky Zsolt, John B. Foster and Sage Maritime Scientific Research, Inc., including the initiation of any procedure requesting the arrest, detention, or prosecution of these individuals or the seizure or forfeiture of their property in domestic Spanish courts;

(i) order that Respondent is prohibited from undertaking any action against the interests of Mario Avella and John B. Foster, including the continued prosecution of these individuals in domestic Spanish courts;

(j) order reparations to individuals in the following amounts, plus interest at the lawful rate:

(1) Mario Avella: €810,000

(2) Alba Avella: €275,000

(3) Geller Sandor: €275,000

(4) Szuszky Zsolt: €275,000

(5) John B. Foster: €1,000

(k) order reparations to Sage Maritime Scientific Research, Inc. in the amount of $4,755,144 (USD) for damages and an additional amount in the range of $3,500,000-$40,000,000 (USD) for lost business opportunities;

(l) order reparations to Saint Vincent and the Grenadines in the amount of €500,000 for costs and damages to its dignity, integrity, and vessel registration business; and

(m) award reasonable attorneys' fees and costs associated with this request as established before the Tribunal, of not less than €500,000.

On behalf of Spain, at the hearing on 12 October 2012:

On the grounds set out in the written pleadings and then elaborated in the course of its oral statements, and on any other grounds, the Kingdom of Spain requests the International Tribunal for the Law of the Sea to adjudge and declare that:

1. the Application submitted by Saint Vincent and the Grenadines is not admissible and must be dismissed;

2. this honourable Tribunal has no jurisdiction in the case;

3. subsidiarily, the Applicant's contention that Spain has breached its obligations under the Convention is not well-founded;

4. consequently, each and all of the requests made by the Applicant must be rejected; and

5. the Applicant be ordered to pay the costs incurred by the Respondent in connection with this case, as determined by the Tribunal, but in an amount no less than US$ 500,000.

28. The Tribunal delivered its judgment in the case on 28 May 2013.

29. The facts of the case may be summarized as follows:

The M/V *Louisa*, a vessel flying the flag of Saint Vincent and the Grenadines was boarded, searched and detained by Spanish authorities on 1 February 2006. According to Spain, the vessel was detained and seized in connection with criminal proceedings and for carrying out "the crime of possession and depositing weapons of war ... together with the continued crime of damaging Spanish historical patrimony". Saint Vincent and the Grenadines maintained that the M/V *Louisa* was conducting surveys of the sea floor with a view to locating oil and gas deposits. Four persons were arrested and detained in Spain in connection with these criminal proceedings. The Spanish authorities also detained a second vessel, the *Gemini III*, which, according to Saint Vincent and the Grenadines, served as a tender for the M/V *Louisa*.

30. A main point of contention between the parties was whether the Tribunal had jurisdiction to entertain the case. On this matter, the Tribunal noted the disagreement

between the parties on the scope of the jurisdiction conferred on it by their declarations made under article 287 of the Convention. It took the view that "in cases where States Parties have made declarations of differing scope under article 287 of the Convention, its jurisdiction exists only to the extent to which the substance of the declarations of the two parties to a dispute coincides" (see para. 81 of the judgment). The Tribunal also observed that jurisdiction was conferred on it only insofar as the dispute was covered by the more limited declaration. In this case, the declaration made by Saint Vincent and the Grenadines was more limited than that of Spain as it referred to disputes "concerning the arrest or detention". The Tribunal considered that the use of the term "concerning" in the declaration of Saint Vincent and the Grenadines indicated that the declaration extended not only to articles expressly containing the word "arrest" or "detention" but to any provision of the Convention having a bearing on the arrest or detention of vessels. It concluded that the declaration of Saint Vincent and the Grenadines was meant to cover all claims connected with the arrest or detention of vessels flying the flag of Saint Vincent and the Grenadines. In relation to the *Gemini III*, the Tribunal found that it was not covered by the declaration of Saint Vincent and the Grenadines and concluded that in respect of this vessel it lacked jurisdiction.

31. The Tribunal further noted the disagreement between the parties on the question of the existence of a dispute between them concerning the interpretation or application of the Convention. In this regard, the Tribunal noted that the case before it had two aspects: one involving the detention of the vessel and the persons connected therewith and the other concerning the treatment of these persons.

32. According to the Tribunal, the first aspect related to the claim originally submitted by Saint Vincent and the Grenadines on the basis of articles 73, 87, 226, 227 and 303 of the Convention. After a careful examination of all provisions invoked, the Tribunal came to the conclusion that none of them could serve as a basis for the claims submitted in respect of the detention of the M/V *Louisa* and its crew. In particular, with regard to article 73 of the Convention, the Tribunal noted that the M/V *Louisa* was not detained "for the reason that the laws and regulations of Spain concerning the living resources in the exclusive economic zone had been violated" (see para. 104 of the judgment). In its view, the detention was made in the context of criminal proceedings relating to alleged violations of Spanish laws on "the protection of the underwater cultural heritage and the possession and handling of weapons of war in Spanish territory" (see para. 104 of the judgment). Concerning article 87 of the Convention, the Tribunal observed that this article deals with the freedom of the high seas, in particular the freedom of navigation and that it was not disputed that the M/V *Louisa* was detained when it was docked in a Spanish port. It concluded that article 87 could not be interpreted "in such a way as to grant the M/V '*Louisa*' a right to leave the port and gain access to the high seas notwithstanding its detention in the context of legal proceedings against it" (see para. 109 of the judgment).

33. As regards the second aspect of the case, concerning the treatment of persons connected with the M/V *Louisa*, the Tribunal observed that this question was introduced by Saint Vincent and the Grenadines on the basis of article 300 of the Convention and only after the closure of the written proceedings. It also noted that this matter had been discussed during the oral proceedings and included in the final submissions of Saint Vincent and the Grenadines. Regarding article 300, the Tribunal found that "it is apparent from the language of article 300 of the

Convention that article 300 cannot be invoked on its own" and that "[i]t becomes relevant only when 'the rights, jurisdiction and freedoms recognised' in the Convention are exercised in an abusive manner" (see para. 137 of the judgment). The Tribunal then considered that reliance on article 300 of the Convention generated a new claim in comparison to the claims presented in the application. In the view of the Tribunal, it is a legal requirement that any new claim to be admitted must arise directly out of the application or be implicit in it. The Tribunal therefore considered that it could not allow a dispute brought before it by an application to be transformed in the course of proceedings into another dispute which is different in character. For this reason, it was of the view that article 300 of the Convention could not serve as a basis for the claims submitted by Saint Vincent and the Grenadines.

34. The Tribunal concluded that no dispute concerning the interpretation or application of the Convention existed between the parties at the time the application was filed. It therefore found that it had no jurisdiction *ratione materiae* to entertain the case. In view of this finding, the Tribunal held that it was not required to consider any of the other objections raised to its jurisdiction or the admissibility of the applicant's claims.

B. *The "Arctic Sunrise" Case (Kingdom of the Netherlands* v. *Russian Federation)*

35. On 21 October 2013, the Netherlands filed a request with the Tribunal for the prescription of provisional measures under article 290, paragraph 5, of the Convention in a dispute concerning the "boarding and detention of the vessel *Arctic Sunrise* in the exclusive economic zone of the Russian Federation and the detention of the persons on board the vessel by the authorities of the Russian Federation". On the same date, a copy of the request was transmitted by the Registrar to the Ambassador of the Russian Federation to Germany, together with a letter addressed to the Minister for Foreign Affairs of the Russian Federation. The case was entered in the Tribunal's list of cases as case No. 22.

36. According to the Netherlands, the vessel *Arctic Sunrise*, flying the flag of the Netherlands, was boarded on 19 September 2013 in the exclusive economic zone (EEZ) of the Russian Federation by Russian authorities, who detained the vessel and the 30 persons on board. The vessel was subsequently towed to the port of Murmansk. On 4 October 2013, the Netherlands instituted arbitral proceedings, under annex VII to the Convention, against the Russian Federation. In the notification instituting arbitral proceedings, which was notified to the Russian Federation on 4 October 2013, the Netherlands requested the Russian Federation "to adopt and implement provisional measures to: (1) immediately enable the 'Arctic Sunrise' to be resupplied, to leave its place of detention and the maritime zones of the Russian Federation, and to exercise the freedom of navigation in said zones; (2) immediately release the crew members, and to allow them to leave the territory and maritime zones of the Russian Federation".

37. Pending the constitution of the arbitral tribunal and after the time limit of two weeks provided for by article 290, paragraph 5, of the Convention, the Netherlands, on 21 October 2013, submitted to the Tribunal a request for the prescription of provisional measures.

38. In a note verbale dated 22 October 2013, received in the Registry on 23 October 2013, the Embassy of the Russian Federation in the Federal Republic of Germany stated:

> Upon the ratification of the Convention on the 26th February 1997 the Russian Federation made a statement, according to which, *inter alia*, "it does not accept procedures provided for in Section 2 of Part XV of the Convention, entailing binding decisions with respect to disputes [...] concerning law-enforcement activities in regard to the exercise of sovereign rights or jurisdiction".
>
> Acting on this basis, the Russian Side has accordingly notified the Kingdom of the Netherlands by note verbale (attached) that it does not accept the arbitration procedure under Annex VII to the Convention initiated by the Netherlands in regard to the case concerning the vessel "*Arctic Sunrise*" and that [it] does not intend to participate in the proceedings of the International Tribunal for the Law of the Sea in respect of the request of the Kingdom of the Netherlands for the prescription of provisional measures under Article 290, Paragraph 5, of the Convention.
>
> Meanwhile the Russian Federation has stressed its readiness to continue to seek a mutually acceptable solution to this situation.

39. Since the Tribunal did not include upon the bench a judge of the nationality of the Netherlands, the Netherlands chose David Anderson to sit as Judge ad hoc in this case pursuant to article 17 of the Statute and article 19 of the Rules.

40. By an order dated 25 October 2013, the President fixed 6 November 2013 as the date for the opening of the hearing.

41. Prior to the opening of the hearing, the Tribunal held initial deliberations on 4 and 5 November 2013.

42. Oral statements were presented at a public sitting held on 6 November 2013. In accordance with article 75, paragraph 2, of the Rules, the Netherlands presented the following final submissions at the hearing on 6 November:

> The Kingdom of the Netherlands requests the International Tribunal for the Law of the Sea with respect to the dispute concerning the '*Arctic Sunrise*'

to declare:

> (a) that the Tribunal has jurisdiction over the request for provisional measures;
>
> (b) the arbitral tribunal to which the dispute is being submitted has *prima facie* jurisdiction;
>
> (c) the claim is supported by fact and law;

to order, by means of provisional measures, the Russian Federation:

> (d) to immediately enable the '*Arctic Sunrise*' to be resupplied, to leave its place of detention and the maritime areas under the jurisdiction of the Russian Federation and to exercise the freedom of navigation;

(e) to immediately release the crew members of the '*Arctic Sunrise*', and allow them to leave the territory and maritime areas under the jurisdiction of the Russian Federation;

(f) to suspend all judicial and administrative proceedings, and refrain from initiating any further proceedings, in connection with the incidents leading to the dispute concerning the '*Arctic Sunrise*', and refrain from taking or enforcing any judicial or administrative measures against the '*Arctic Sunrise*', its crew members, its owners and its operators; and

(g) to ensure that no other action is taken which might aggravate or extend the dispute.

43. The Russian Federation did not participate in the public sitting held on 6 November 2013.

44. The Tribunal delivered its order on 22 November 2013.

45. In the order, in relation to the declaration made by the Russian Federation with respect to law enforcement activities under article 298, paragraph 1 (b), of the Convention, the Tribunal stated that the declaration "*prima facie* applies only to disputes excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3, of the Convention" (see para. 45 of the order).

46. Concerning the non-appearance of the Russian Federation, the Tribunal considered that the absence of a party or failure of a party to defend its case does not constitute a bar to the proceedings and does not preclude the Tribunal from prescribing provisional measures, provided that the parties have been given an opportunity of presenting their observations on the subject. The Tribunal noted that the Russian Federation had been given ample opportunity to present its observations but had declined to do so. It then considered that it had to identify and assess the respective rights of the parties involved on the best available evidence.

47. In the order, the Tribunal considered that, in the light of the positions of the Netherlands and the Russian Federation, "a difference of opinions exists as to the applicability of the provisions of the Convention in regard to the rights and obligations of a flag State and a coastal State, notably, its articles 56, 58, 60, 87 and 110", and thus "a dispute appears to exist between these two States concerning the interpretation or application of the Convention" (see para. 68 of the order). According to the Tribunal, these provisions appeared to afford a basis on which the jurisdiction of the arbitral tribunal might be founded. Therefore the Tribunal concluded that the annex VII arbitral tribunal would prima facie have jurisdiction over the dispute. The Tribunal also considered that, under the circumstances of the case, pursuant to article 290, paragraph 5, of the Convention, the urgency of the situation required the prescription by the Tribunal of provisional measures.

48. For these reasons, the Tribunal prescribed, pending a decision by the annex VII arbitral tribunal, the following provisional measures under article 290, paragraph 5, of the Convention:

(a) The Russian Federation shall immediately release the vessel *Arctic Sunrise* and all persons who have been detained, upon the posting of a bond or other financial security by the Netherlands which shall be in the amount of 3,600,000 euros, to be posted with the Russian Federation in the form of a bank guarantee;

(b) Upon the posting of the bond or other financial security referred to above, the Russian Federation shall ensure that the vessel *Arctic Sunrise* and all persons who have been detained are allowed to leave the territory and maritime areas under the jurisdiction of the Russian Federation.

49. The Tribunal further decided that the Netherlands and the Russian Federation each had to submit an initial report not later than 2 December 2013 to the Tribunal, and authorized the President to request such information as he may consider appropriate after that report.

50. Within the prescribed time limit, the Netherlands submitted an initial report on the measures taken. In its report, the Netherlands informed the Tribunal that a bank guarantee had been issued on its behalf and that the Russian Federation had been notified of the issuance of the bank guarantee by a diplomatic note of 2 December 2013.

C. *The M/V "Virginia G" Case (Panama/Guinea-Bissau)*

51. On 4 July 2011, proceedings were instituted before the Tribunal through the notification of a special agreement in a dispute concerning the vessel *Virginia G* (case No. 19 on the list of cases).

52. By an order dated 18 August 2011, the President fixed 4 January 2012 as the time limit for the filing of the memorial by Panama and 21 May 2012 as the time limit for the filing of the counter-memorial by Guinea-Bissau.

53. On 30 September 2011, the Tribunal adopted an order authorizing the submission of a reply by Panama and a rejoinder by Guinea-Bissau and fixing 21 August and 21 November 2012, respectively, for the filing of those pleadings.

54. Subsequently, by an order dated 23 December 2011, the President extended the time limits for the submission of the memorial and the counter-memorial to 23 January 2012 and 11 June 2012, respectively. The memorial and the counter-memorial were duly filed within the extended time-limits.

55. By an order dated 8 August 2012, the President extended the time limits for the filing of the reply and the rejoinder to 28 August 2012 and 28 November 2012, respectively. The reply and the rejoinder were duly filed within the extended time limits.

56. Both Panama and Guinea-Bissau chose judges ad hoc pursuant to article 17 of the Statute and article 19 of the Rules. Tullio Treves was chosen as Judge ad hoc by Panama and José Manuel Sérvulo Correia was chosen as Judge ad hoc by Guinea-Bissau.

57. In its counter-memorial, Guinea-Bissau submitted a counter-claim which Panama, in its reply, requested the Tribunal "to dismiss, reject or otherwise refuse". In addition, Panama requested the Tribunal "to fix an additional date, following the 28 November 2012 deadline for the submission of Guinea Bissau's Rejoinder, by which date Panama may submit final submissions in reply only to the sections of Guinea-Bissau's Rejoinder concerning the counter-claim".

58. On 2 November 2012, the Tribunal adopted an order finding that the counter-claim presented by Guinea-Bissau "satisfies the conditions set forth in" and "is

admissible under article 98, paragraph 1, of the Rules". The Tribunal also authorized "the submission by Panama of an additional pleading relating solely to the counter-claim submitted by Guinea-Bissau" and fixed 21 December 2012 as the time limit for the filing. Panama duly filed the additional pleading within the time limit.

59. By a further order dated 24 April 2013, the Tribunal fixed 2 September 2013 as the date for the opening of the hearing.

60. Prior to the opening of the hearing, the Tribunal held initial deliberations on 29 and 30 August 2013.

61. The hearing took place from 2 to 6 September 2013, during which the Parties presented their oral statements at eight public sittings. In accordance with article 75, paragraph 2, of the Rules, the parties presented the following final submissions on 6 September 2013:

On behalf of Panama:

1. SUBMISSIONS IN RELATION TO THE CLAIM

Panama respectfully requests the International Tribunal to declare, adjudge and order that:

(1) The International Tribunal has full jurisdiction under the Special Agreement and under the Convention to entertain the full claims made on behalf of Panama;

(2) The claims submitted by Panama are admissible;

(3) The claims submitted by Panama are well founded;

(4) The actions taken by Guinea-Bissau, especially those taken on 21 August 2009, against the *Virginia G*, violated Panama's right and that of its vessel to enjoy freedom of navigation and other internationally lawful uses of the sea in terms of article 58(1) of the Convention;

(5) Guinea-Bissau violated article 56(2) of the Convention;

(6) Guinea-Bissau violated article 73(1) of the Convention;

(7) Guinea-Bissau violated article 73(2) of the Convention;

(8) Guinea-Bissau violated article 73(3) of the Convention;

(9) Guinea-Bissau violated article 73(4) of the Convention;

(10) Guinea-Bissau used excessive force in boarding and arresting the *Virginia G*, in violation of the Convention and of international law;

(11) Guinea-Bissau violated the principles of articles 224 and 110 of the Convention;

(12) Guinea-Bissau violated article 225 of the Convention as well as the SUA Convention, as well as the fundamental principles of safety of life at sea and collision prevention;

(13) Guinea-Bissau violated article 300 of the Convention;

(14) Guinea-Bissau is to immediately return the gas oil confiscated on 20 November 2009, of equivalent or better quality, or otherwise to pay adequate compensation;

(15) Guinea-Bissau is to pay in favour of Panama, the *Virginia G*, her owners, crew and all persons and entities with an interest in the vessel's operations, compensation for damages and losses caused as a result of the aforementioned violations, in the amount quantified and claimed by Panama in paragraph 450 of its Reply (p. 84), or in an amount deemed appropriate by the International Tribunal;

(16) As an exception to Point 15, the amount of moral damages requested in paragraph 470 of the Reply as due to Panama for moral damages is withdrawn and replaced by a request for a declaration of "satisfaction"/apology to the attention of the Republic of Panama, for the derogatory and unfounded accusations against the *Virginia G* and her flag State and as regards all aspects of the merits of the *Virginia G* dispute as from 21 August 2009;

(17) Guinea-Bissau is to pay interest on all amounts held by the International Tribunal to be due by Guinea-Bissau;

(18) Guinea-Bissau is to reimburse all costs and expenses incurred by Panama in the preparation of this case, including, without limitation, the costs incurred in this case before the International Tribunal, with interest thereon; or

(19) In the alternative to the previous paragraph 15, Guinea-Bissau is to compensate Panama, the *Virginia G*, her owners, crew (or spouse or dependant in the case of Master Guerrero) charterers and all persons and entities with an interest in the vessel's operations in the form of any other compensation or relief that the international Tribunal deems fit.

2. SUBMISSIONS IN RELATION TO THE COUNTER-CLAIM

Panama respectfully requests the International Tribunal to:

A. Declare, adjudge and order that Guinea-Bissau's objections to the admissibility of Panama's claim are outside the time-limit and/or are brought in bad faith such that they should be dismissed, rejected or otherwise refused;

B. Dismiss, reject or otherwise refuse Guinea-Bissau's counter-claim on the basis that Guinea-Bissau has no legal basis under international law and under the Convention to bring the counter-claim, given the existence of the required links between Panama and the *Virginia G*, or, in the alternative, on the basis that Guinea-Bissau's counter-claim is unfounded in fact and at law, and that the counter-claim is frivolous and vexatious;

C. Dismiss, reject or otherwise refuse each and all of the submissions of Guinea-Bissau, as set out in Chapter IX of Guinea-Bissau's Counter-Memorial, and declare, adjudge and order that:

[-] Panama did not violate article 91 of the Convention;

[-] In connection with Submission B above, Panama is not to pay in favour of Guinea-Bissau compensation for damages and losses as claimed by Guinea-Bissau in its counter-claim as set out in Chapter VII of its Counter-Memorial; and

[-] Panama is not to pay all legal costs and other costs that Guinea-Bissau has incurred in relation to this counter-claim.

D. Declare, adjudge and order that Guinea-Bissau's Decree Law 6-A/2000, as was applied to the *Virginia G* (and as applied in general) in the EEZ of Guinea-Bissau, is a unilateral extension of the scope of the Convention, restricting the freedoms under the Convention, and, in effect, an extension by Guinea-Bissau of a type of tax and/or customs-duty radius, in violation of the Convention.

On behalf of Guinea-Bissau:

I. SUBMISSIONS IN RELATION TO THE CLAIM

For the reasons given in writing and in oral argument, or any of them, or for any other reason that the International Tribunal deems to be relevant, the Government of the Republic of Guinea-Bissau respectfully requests the International Tribunal to adjudge and declare that:

(1) The International Tribunal has no jurisdiction about claims related to the vessel *Iballa G*.

(2) The claims submitted by Panama are inadmissible due to the nationality of *Virginia G*, the absence of a right of diplomatic protection concerning foreigners, or the lacking exhaustion of local remedies, and should therefore be dismissed.

Alternatively that:

(1) The actions of the Republic of Guinea-Bissau did not violate the right of Panama and of the vessels flying her flag to enjoy freedom of navigation and other internationally lawful [uses] of the sea, as set forth in terms of article 58(1) of the Convention.

(2) Guinea-Bissau laws can be applied for the purpose of controlling the bunkering to fishing vessels in the Exclusive Economic Zone.

(3) Guinea-Bissau did not violate article 56(2) of the Convention.

(4) Guinea-Bissau did not violate article 73(1) of the Convention.

(5) Guinea-Bissau did not violate article 73(2) of the Convention.

(6) Guinea-Bissau did not violate article 73(3) of the Convention.

(7) Guinea-Bissau did not violate article 73(4) of the Convention.

(8) Guinea-Bissau has not used excessive force in boarding and arresting the *Virginia G*.

(9) Guinea-Bissau did not violate the principles of articles 224 and 110 of the Convention.

(10) Guinea-Bissau did not violate neither article 225 of the Convention nor the SUA Convention, not even the principles of safety of life at sea and collision prevention.

(11) Guinea-Bissau did not violate article 300 of the Convention.

(12) The Republic of Guinea-Bissau has no obligation to immediately return to Panama the discharged gasoil or to pay any compensation for it.

(13) The Republic of Guinea-Bissau has no obligation to pay in favour of Panama, the *Virginia G*, her owners, crew and any persons or entities with an interest in the vessel's operations any compensation for damages and losses.

(14) The Republic of Guinea-Bissau has no obligation to give apologies to the Republic of Panama.

(15) The Republic of Guinea-Bissau has no obligation to pay any interest.

(16) The Republic of Guinea-Bissau has no obligation to pay costs and expenses incurred by Panama.

(17) The Republic of Guinea-Bissau has no obligation to pay any compensation or relief to Panama, the *Virginia G*, her owners, charterers or any other persons or entities with interest in the vessel's operation.

II. SUBMISSIONS IN RELATION TO THE COUNTER-CLAIM.

The Government of the Republic of Guinea-Bissau respectfully requests the International Tribunal to adjudge and declare that:

A. Panama violated article 91 of the Convention.

B. Panama is to pay in favour of Guinea-Bissau compensation for damages and losses caused as a result of the aforementioned violation, in the amount quantified and claimed by Guinea-Bissau in Paragraph 266 of its Counter-Memorial, or in an amount deemed appropriate by the International Tribunal.

C. Panama is to reimburse all legal and other costs the Republic of Guinea-Bissau has incurred with this case.

62. As at 31 December 2013, the Judgment in the case was expected to be delivered in the second quarter of 2014.

D. *Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)*

63. At its fourteenth session, held on 27 and 28 March 2013, the Conference of Ministers of the Sub-Regional Fisheries Commission adopted a resolution by which it decided, in accordance with article 33 of the Convention on the Determination of the Minimal Conditions for Access and Exploitation of Marine Resources within the Maritime Areas under Jurisdiction of the Member States of the Sub-Regional Fisheries Commission, of 2012, to authorize the Permanent Secretary of the Commission to seize the Tribunal in order to obtain its advisory opinion on the following matters:

(1) What are the obligations of the flag State in cases where illegal, unreported and unregulated (IUU) fishing activities are conducted within the Exclusive Economic Zone of third party States?

(2) To what extent shall the flag State be held liable for IUU fishing activities conducted by vessels sailing under its flag?

(3) Where a fishing license is issued to a vessel within the framework of an international agreement with the flag State or with an international agency, shall the State or international agency be held liable for the violation of the fisheries legislation of the coastal State by the vessel in question?

(4) What are the rights and obligations of the coastal State in ensuring the sustainable management of shared stocks and stocks of common interest, especially the small pelagic species and tuna?

64. The request was received by the Tribunal on 28 March 2013 and entered in the list of cases of the Tribunal as case No. 21.

65. On 24 May 2013, the Tribunal adopted an order and fixed 29 November 2013 as the time limit for the presentation of written statements. The time limit for the submission of written statements was extended to 19 December 2013, by an order of the President dated 3 December 2013.

66. Within this time limit, written statements were filed by the following States parties to the Convention, which are listed in chronological order by date of submission: Saudi Arabia, Germany, New Zealand, China, Somalia, Ireland, the Federated States of Micronesia, Australia, Japan, Portugal, Chile, Argentina, United Kingdom of Great Britain and Northern Ireland, Thailand, the Netherlands, European Union, Cuba, France, Spain, Montenegro, Switzerland and Sri Lanka. Within the same time limit, written statements were also submitted by the following organizations, which are listed in chronological order by date of submission: the Forum Fisheries Agency , the International Union for Conservation of Nature and Natural Resources (IUCN), the Caribbean Regional Fisheries Mechanism, the United Nations, the Sub-Regional Fisheries Commission, the Food and Agriculture Organization of the United Nations and the Central America Fisheries and Aquaculture Organization. A statement by a State not party to the Convention (United States of America) was submitted to the Tribunal. In addition, a statement was submitted by a non-governmental international organization (the World Wide Fund for Nature (WWF)), which was informed by a letter from the President dated 4 December 2013 that its statement would not be considered part of the documentation in the case. All the statements have been posted on the website of the Tribunal.

67. By an order dated 20 December 2013, the President fixed 14 March 2014 as the time limit within which States parties to the Convention and intergovernmental organizations having presented written statements may submit written statements on the statements made.

VI. Appointment of arbitrators by the President of the Tribunal pursuant to article 3 of annex VII to the Convention

68. In accordance with article 3 of annex VII to the Convention, if the parties are unable to agree on the appointment of one or more members of the arbitral tribunal to be designated by common agreement, or on the designation of the president of the arbitral tribunal, the President of the Tribunal shall make the necessary appointment(s) at the request of any party to the dispute and in consultation with the parties.

69. In a letter dated 7 January 2013, the Minister of Foreign Affairs and Worship of Argentina requested the President of the Tribunal to appoint three arbitrators and the president of the arbitral tribunal in the arbitral proceedings instituted under annex VII to the Convention in respect of a dispute between Argentina and Ghana concerning the vessel *ARA Libertad*. The President of the Tribunal held consultations with the Parties on the premises of the Tribunal and, on 4 February 2013, chose Awn Shawkat Al-Khasawneh (Jordan), Bernard Oxman (United States of America) and Bruno Simma (Germany) as arbitrators. The President appointed Bruno Simma as the president of the arbitral tribunal.

70. With regard to the arbitral proceedings under annex VII to the Convention in respect of a dispute between the Philippines and China, by letter dated 22 February 2013 from the Agent and Solicitor General of the Philippines, the Philippines requested the President of the Tribunal to appoint one member of the arbitral tribunal, pursuant to article 3, subparagraphs (c) and (e), of annex VII to the Convention. Further to consultations by correspondence with the Parties, the President of the Tribunal appointed Stanislaw Michal Pawlak (Poland) as arbitrator in the arbitral proceedings. By a further letter dated 25 March 2013 from the Agent and Solicitor General of the Philippines, the President of the Tribunal was requested to appoint three additional arbitrators, including the president of the arbitral tribunal. On 24 April 2013, the President of the Tribunal appointed Jean-Pierre Cot (France), Chris Pinto (Sri Lanka) and Alfred Soons (the Netherlands) as arbitrators. He appointed Mr. Pinto as president of the arbitral tribunal. After Mr. Pinto elected to step down, the President of the Tribunal appointed Thomas Mensah (Ghana) as member and president of the arbitral tribunal on 21 June 2013.

71. With regard to the arbitral proceedings instituted for the settlement of the maritime delimitation dispute between Bangladesh and India, Tullio Treves (Italy) resigned as a member of the arbitral tribunal. By letter dated 3 July 2013, the Deputy Agent of Bangladesh, Rear Admiral Md. Khurshed, asked the President of the Tribunal to appoint a replacement for Mr Treves. Pursuant to article 3 (f), of annex VII to the Convention, on 18 July 2013, the President of the Tribunal, after consultations with the Parties, appointed Jean-Pierre Cot (France) to fill the vacancy. The arbitral tribunal is now composed of Rüdiger Wolfrum (Germany), as president, Thomas Mensah (Ghana), Pemmaraju Sreenivasa Rao (India), Ivan Shearer (Australia) and Jean-Pierre Cot (France).

72. By letter dated 15 November 2013 from the Agent of the Netherlands, the Netherlands requested the President of the Tribunal to appoint one member of the arbitral tribunal pursuant to article 3, subparagraphs (c) and (e), of annex VII to the Convention, in the arbitral proceedings instituted under annex VII in the case between the Netherlands and the Russian Federation concerning the vessel *Arctic Sunrise*. Further to consultations by correspondence with the Parties, on 13 December 2013, the President of the Tribunal appointed Alberto Székely Sánchez (Mexico) as arbitrator.

73. In respect of the arbitral proceedings under annex VII to the Convention instituted by Malta against São Tomé and Príncipe in a dispute concerning the vessel *Duzgit Integrity*, Malta requested the President of the Tribunal, by letter dated 4 December 2013, to appoint one member of the arbitral tribunal, pursuant to article 3, subparagraphs (c) and (e), of annex VII to the Convention. Further to consultations by correspondence with the Parties, on 27 December 2013, the

President of the Tribunal appointed James Luta Kateka (United Republic of Tanzania) as arbitrator.

VII. Legal matters

74. During the period under review, the Tribunal devoted part of its two sessions to the consideration of legal and judicial matters. In this respect, the Tribunal examined various legal issues of relevance to its jurisdiction, its Rules and its judicial procedures. This review was undertaken both by the Tribunal and by its chambers. Some of the main issues considered are noted below.

A. Jurisdiction, Rules and judicial procedures of the Tribunal

Declarations made under articles 287 and 298 of the Convention

75. During the period under review, the Tribunal took note of the information presented by the Registry concerning the status of declarations made under articles 287 and 298 of the Convention.

B. Chambers

1. Matters relating to the Seabed Disputes Chamber

76. During the period under review, the Seabed Disputes Chamber held meetings in which it considered matters falling under its responsibilities, in particular, different scenarios of contentious and advisory cases that may be submitted to the Seabed Disputes Chamber.

2. Matters relating to the Chamber for Fisheries Disputes

77. During the period under review, the Chamber for Fisheries Disputes considered reports prepared by the Registry concerning new developments in relation to the international legal regime of fisheries and fisheries subsidies.

3. Matters relating to the Chamber for Marine Environment Disputes

78. During the period under review, the Chamber for Marine Environment Disputes considered reports prepared by the Registry concerning prompt release of vessels and crews in cases relating to pollution of the marine environment and the amount of security requested in that regard.

C. Recent developments in law of the sea matters

79. During the period under review, the Tribunal considered reports prepared by the Registry concerning recent developments in law of the sea matters.

VIII. Committees

80. During its thirty-sixth session, on 8 October 2013, the Tribunal reconstituted its committees for the period ending 30 September 2014.[1]

A. Committee on Budget and Finance

81. The members of the Committee on Budget and Finance selected on 8 October 2013 are as follows: Judge Akl, Chair; Judges Jesus, Cot, Lucky, Türk, Bouguetaia, Golitsyn and Paik, members.

B. Committee on Rules and Judicial Practice

82. The members of the Committee on Rules and Judicial Practice selected on 8 October 2013 are as follows: President Yanai, Chair; Vice-President Hoffmann; Judges Marotta Rangel, Nelson, Chandrasekhara Rao, Wolfrum, Ndiaye, Cot, Kateka, Gao, Golitsyn (ex officio member as President of the Seabed Disputes Chamber), Kelly and Attard, members.

C. Committee on Staff and Administration

83. The members of the Committee on Staff and Administration selected on 8 October 2013 are as follows: Vice-President Hoffmann, Chair; Judges Wolfrum, Jesus, Gao, Golitsyn, Paik, Kelly and Attard, members.

D. Committee on Library, Archives and Publications

84. The members of the Committee on Library, Archives and Publications selected on 8 October 2013 are as follows: Judge Türk, Chair; Judges Marotta Rangel, Nelson, Wolfrum, Ndiaye, Pawlak, Paik and Kulyk, members.

E. Committee on Buildings and Electronic Systems

85. The members of the Committee on Buildings and Electronic Systems selected on 8 October 2013 are as follows: Judge Gao, Chair; Judges Akl, Wolfrum, Lucky, Kelly, Attard and Kulyk, members.

F. Committee on Public Relations

86. The members of the Committee on Public Relations selected on 8 October 2013 are as follows: Judge Kateka, Chair; Judges Chandrasekhara Rao, Bouguetaia, Paik, Kelly, Attard and Kulyk, members.

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[1] For the terms of reference of the committees, see: SPLOS/27, paras. 37-40; SPLOS/50, paras. 36-37; and SPLOS/136, para. 46.

IX. Privileges and immunities

A. General Agreement

87. The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea, adopted by the seventh Meeting of States Parties on 23 May 1997, was deposited with the Secretary-General of the United Nations and opened for signature at United Nations Headquarters for 24 months as from 1 July 1997 (see SPLOS/24, para. 27. The Agreement entered into force on 30 December 2001, 30 days after the date of deposit of the tenth instrument of ratification or accession. At the closing date for signature, 21 States had signed the Agreement. As at 31 December 2013, 41 States had ratified or acceded to it.

B. Headquarters Agreement

88. The Headquarters Agreement between the Tribunal and the Government of Germany was signed on 14 December 2004 by the President of the Tribunal and the State Secretary of the Federal Foreign Office of Germany. The Agreement entered into force on 1 May 2007. It defines the legal status of the Tribunal in Germany and regulates the relations between the Tribunal and the host country. It contains provisions on such matters as the law applicable to the headquarters district, the immunity of the Tribunal, its property, assets and funds, and the privileges, immunities and exemptions accorded to the members of the Tribunal and its officials, as well as to Agents representing parties, counsel and advocates, and witnesses and experts who are required to appear before the Tribunal.

X. Relations with the United Nations

89. At the 63rd plenary meeting of the sixty-eighth session of the General Assembly, on 9 December 2013, the President of the Tribunal delivered a statement under agenda item 76 (a), entitled "Oceans and the law of the sea".[2] In his statement, the President reported to the Assembly on the developments which had taken place with respect to the Tribunal since the previous session of the Assembly, in particular, the delivery of the judgment on the merits in the M/V *Louisa* case (Saint Vincent and the Grenadines v. Kingdom of Spain). He also reported that the Tribunal had made two orders on requests for provisional measures: in the *ARA Libertad* case (Argentina v. Ghana) and the *Arctic Sunrise* case (Kingdom of the Netherlands v. Russian Federation). The President further reported on the Tribunal's training activities, including its capacity-building programmes for government officials and researchers on dispute settlement under the Convention, and its internship programme.

[2] The text of the statement is available on the Tribunal's website: http://www.itlos.org or http://www.tidm.org.

XI. Premises of the Tribunal

90. The terms and conditions under which the premises are made available to the Tribunal by Germany are established in the Agreement of 18 October 2000 between the International Tribunal for the Law of the Sea and the Government of the Federal Republic of Germany on the Occupancy and Use of the Premises of the International Tribunal for the Law of the Sea in the Free and Hanseatic City of Hamburg.

91. During the period under review the Registry, in cooperation with the Federal Building Authorities, has made several improvements to the Tribunal's equipment and systems, in particular as concerns the replacement of the microphone system in the courtroom.

XII. Finances

A. Budgetary matters

1. Budget of the Tribunal for 2015-2016

92. During the thirty-sixth session of the Tribunal, the Committee on Budget and Finance gave preliminary consideration to the budget of the Tribunal for the financial period 2015-2016 on the basis of draft proposals submitted by the Registrar.

2. Report on budgetary matters for the financial periods 2011-2012 and 2013-2014

93. At its thirty-fifth session, the Tribunal considered the report presented by the Registrar on budgetary matters for the financial periods 2011-2012 and 2013-2014 (SPLOS/258). The report, which was submitted to the twenty-third Meeting of States Parties for its consideration, included the following: the performance report for 2011-2012; a report on action taken pursuant to the decision concerning budgetary matters taken by the twenty-second Meeting of States Parties (implementation of the decision concerning the budget of the Tribunal for 2013-2014 and surrender of cash surplus for the financial period 2009-2010); and a report on action taken pursuant to the Financial Regulations of the Tribunal (the Tribunal's investments, the Korea International Cooperation Agency (KOICA) trust fund, the Nippon Foundation trust fund, the Trust Fund, the Trust Fund for the Law of the Sea and the China Institute of International Studies trust fund).

3. Cash flow situation

94. At its thirty-fifth and thirty-sixth sessions, the Tribunal took note of the information presented by the Registrar concerning the cash flow situation of the Tribunal.

B. Status of contributions

95. As at 31 December 2013,114 States Parties had made contributions for the year 2013 of the 2013-2014 budget, totalling €10,255,592, while 52 States Parties had not made any payments with respect to their assessed contributions for 2013. The balance of unpaid contributions with respect to the first year of the 2013-2014 budget was €363,968.

96. Furthermore, assessed contributions amounting to €631,057 in respect of the budgets of the Tribunal for the financial periods 1996-1997 to 2011-2012 were still pending as at 31 December 2013.

97. The balance of unpaid contributions with respect to the overall budget of the Tribunal amounted to €995,025 as at 31 December 2013. In July 2013, the Registrar sent the States parties notes verbales concerning their assessed contributions for the year 2014 of the 2013-2014 budget, which also contained information about outstanding contributions to the previous budgets. In December 2013, the Registrar sent notes verbales to the States parties concerned, reminding them of their outstanding contributions to the budgets of the Tribunal.

C. Financial Regulations and Rules

98. The Financial Regulations of the Tribunal, adopted by the thirteenth Meeting of States Parties on 12 June 2003, became effective on 1 January 2004.[3]

99. Pursuant to financial regulation 10.1 (a), the Registrar must establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy. In accordance with this provision the Tribunal, at its seventeenth session, approved the Financial Rules, which were submitted to the fourteenth Meeting of States Parties for its consideration. The Meeting took note of the Financial Rules of the Tribunal, which, according to rule 114.1, became effective on 1 January 2005 (the Financial Regulations and Rules of the Tribunal are contained in document SPLOS/120).

D. Report of the auditor for 2011-2012

100. The results of the audit for the financial period 2011-2012 were presented by the Registrar at the thirty-fifth session of the Tribunal. The Committee on Budget and Finance noted the auditor's opinion that the financial statements for the financial period 2011-2012 had been drawn up in compliance with the Financial Regulations and Rules of the Tribunal and gave a "true and fair view of the [Tribunal's] net assets, financial position and results of operations". The auditor further stated that the accounting principles had been applied on a basis consistent with that of preceding financial periods and that the transactions carried out were in accordance with the Financial Regulations and Rules of the Tribunal and legislative authority. The Tribunal took note of the audit report for 2011-2012 (SPLOS/257) and requested that the report be submitted to the twenty-third Meeting of States Parties. The twenty-third Meeting of States Parties took note of the report of the external auditor (SPLOS/263, para. 27).

E. Trust funds and donations

101. On the basis of resolution 55/7 on "Oceans and the law of the sea" adopted by the General Assembly on 30 October 2000, a voluntary trust fund has been established by the Secretary-General to assist States in connection with disputes to

[3] Financial Regulations, regulation 14.1.

be settled by the Tribunal. According to information provided by the Division for Ocean Affairs and the Law of the Sea of the United Nations Office of Legal Affairs, no contributions to the trust fund were made in 2013 and the financial statements of the trust fund showed a balance of $190,410 as at 31 December 2013.

102. In 2004, the Korea International Cooperation Agency provided a grant to fund the participation of interns from developing countries in the internship programme of the Tribunal. A trust fund was established by the Registrar for this purpose, pursuant to regulation 6.5 of the Financial Regulations of the Tribunal. The fund was closed in 2012.

103. In 2007, the Nippon Foundation provided a grant to fund the participation of fellows in a capacity-building and training programme on dispute settlement under the Convention. A trust fund was established by the Registrar for this purpose, pursuant to regulation 6.5 of the Financial Regulations of the Tribunal.

104. In 2010, pursuant to a decision of the Tribunal at its twenty-eighth session, the Registrar established a new trust fund for the law of the sea, whose terms of reference were adopted by the Tribunal and submitted for consideration to the twentieth Meeting of States Parties. The trust fund is intended to promote human resource development in developing countries in the law of the sea and maritime affairs in general. Contributions made to the trust fund are used to provide applicants from developing countries with financial assistance to enable them to participate in the Tribunal's internship programme and the summer academy. States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, are invited to make voluntary financial or other contributions to the trust fund. Four contributions to the trust fund, in the following amounts, have been made so far: €25,000 in April 2010 by a company from the Republic of Korea operating in Hamburg; and three times the amount of €15,000 by the Korea Maritime Institute, in October 2011, December 2012 and October 2013, respectively.

105. In 2012, the China Institute of International Studies provided a grant to finance training activities of the Tribunal, including regional workshops, and to provide grants to participants from developing countries in the internship programme and the summer academy. A trust fund was established by the Registrar for this purpose, pursuant to regulation 6.5 of the Financial Regulations of the Tribunal.

XIII. Administrative matters

A. Staff Regulations and Staff Rules

106. During the period under review, the Tribunal approved the recommendation of the Committee on Staff and Administration to adopt amendments to the Staff Regulations concerning staff assessment rates. The amendments were intended to ensure compatibility of the Staff Regulations of the Tribunal with the United Nations Common System of Salaries, Allowances and Benefits, pursuant to regulation 12.6 of the Staff Regulations.

107. During the period under review, in the light of the recommendation of the Committee on Staff and Administration, the Tribunal took note of the amendments proposed to the Staff Rules of the Tribunal, inter alia, concerning the basic rights

and obligations of staff, dependency allowance, post adjustment and rental subsidy, temporary appointments, home leave, special leave, sick leave and official travel. Pursuant to regulations 12.2, 12.3 and 12.4 of the Staff Regulations, the amendments to the Staff Rules which were provisional entered into full force and effect on 1 January 2014.

B. Staff recruitment

108. In 2013, the Tribunal recruited staff members for the posts of Senior Legal Officer/Head of Legal Office (P-5), Head of Budget and Finance (P-4) and Associate Archivist (P-2).

109. At the end of 2013, recruitment was in progress with respect to the posts of Legal Officer (P-4) and Associate Administrative Officer (Contributions/Budget) (P-2).

110. A list of the staff members of the Registry as at 31 December 2013 is contained in annex I to the present report.

111. Temporary personnel were recruited to assist the Tribunal during its thirty-fifth and thirty-sixth sessions and during the hearings and deliberations in cases Nos. 18, 19, 21 and 22.

112. The staff of the Registry consists of 37 staff members, of whom 17 are in the Professional and higher categories. The recruitment of staff members in the Professional category, excluding language staff, is subject to the principle of equitable geographical distribution, in accordance with regulation 4.2 of the Staff Regulations. The regulation provides that:

> The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity for securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Taking into account the small number of staff in the Registry of the Tribunal, a flexible regional approach has been followed in this regard.

113. The Tribunal has taken steps to ensure that vacancy announcements are disseminated in such a way as to recruit staff on as wide a geographical basis as possible. Information on vacancies is transmitted to the embassies in Berlin of the States parties to the Convention, and to the permanent missions in New York. The information is also posted on the Tribunal's website and published in the press.

114. The Tribunal applies, mutatis mutandis, the recruitment procedures followed by the United Nations. In accordance with these procedures, the principle of geographical distribution does not apply to the recruitment of General Service staff. However, the Tribunal has also made efforts to recruit General Service staff on as wide a geographical basis as possible.

C. Staff Pension Committee

115. Pursuant to the proposal of the Tribunal, the sixteenth Meeting of States Parties decided that a Staff Pension Committee should be established with the

following composition: (a) one member and one alternate member to be chosen by the Meeting; (b) one member and one alternate member to be appointed by the Registrar; and (c) one member and one alternate member to be elected by the staff. Initially, the term of office of members and alternates was two years. The twentieth Meeting of States Parties decided to extend the term of office to three years. The current president of the Committee is Abdoul Aziz Ndiaye (Embassy of Senegal in Berlin).

D. Language classes at the Tribunal

116. English and French classes for Registry staff members were held in 2013.

E. Internship programme

117. The internship programme of the Tribunal was established in 1997. Applicants from developing countries can receive financial assistance in covering the costs incurred by participating in the programme. From 2004 to 2012, this financial assistance was paid from the trust fund established in respect of a grant provided by the Korea International Cooperation Agency. Since 2012, the assistance has been paid from the Trust Fund for the Law of the Sea established by the Tribunal and from the grant from the China Institute of International Studies.

118. As at the end of 2013, a total of 265 interns from 84 States had participated in the programme, with 111 interns benefiting from funding.

119. During 2013, 20 persons from 18 different countries served periods of internship at the Tribunal. A list of participants in the internship programme during 2013 is contained in annex II to the present report.

120. An information sheet and the application form for the programme can be obtained from the Registry or from the Tribunal's website.

F. Capacity-building and training programme

121. In 2013, for the seventh time, a capacity-building and training programme on dispute settlement under the Convention was conducted with the support of the Nippon Foundation. The Nippon Foundation Grant was set up in 2007 to provide capacity-building and training to fellows and assist them in covering the costs incurred by participating in the programme. During the programme, participants attend lectures on topical issues related to the law of the sea and maritime law and training courses on negotiation and delimitation. They also visit institutions working in the areas of law of the sea, maritime law and settlement of disputes (inter alia, the International Court of Justice, the International Hydrographic Organization and the International Maritime Organization). At the same time, participants carry out individual research on selected topics. Information about the programme can be obtained from the Registry or from the Tribunal's website.

122. Nationals of Brazil, Haiti, Indonesia, Lebanon, Philippines, Tunisia and United Republic of Tanzania are participating in the 2013-2014 programme (July 2013-March 2014). A list of fellows is contained in annex III to the present report.

XIV. Buildings and electronic systems

A. Requirements for the permanent premises

123. During the thirty-fifth and thirty-sixth sessions, the Registrar presented reports on building arrangements and the use of the Tribunal's premises, including the use of the villa and other locations on the Tribunal premises. The reports were reviewed by the Committee on Buildings and Electronic Systems with a view to improving the working conditions of the Tribunal.

B. Use of the premises and public access

124. During 2013, the following events were held on the premises of the Tribunal:

- Maritime Talks, organized by the International Foundation for the Law of the Sea, held on 9 March 2013;
- The summer academy, held from 21 July to 16 August 2013.

125. In addition, the premises of the Tribunal were visited by approximately 1,000 people on organized tours in 2013.

XV. Library facilities and archives

126. During the thirty-fifth and thirty-sixth sessions, the Registrar reported on several matters pertaining to the Library, including the collections and an integrated library management system. He also presented reports on the archive collections and databases.

127. A list of donors to the Library is contained in annex IV to the present report.

XVI. Publications

128. The status of the Tribunal's publications was reviewed by the Committee on Library, Archives and Publications during the thirty-fifth and thirty-sixth sessions of the Tribunal.

129. During the period under review, the following volumes were published:

(a) *ITLOS Reports of Judgments, Advisory Opinions and Orders 2012, Vol. 12;*

(b) *ITLOS Pleadings, Minutes of Public Sittings and Documents 2009/2010, Vol. 15.*

XVII. Public relations

130. During the period under review, the Committee on Public Relations gave consideration to a set of measures to provide information on the work of the Tribunal, including the installation of a permanent exhibition on the establishment and work of the Tribunal at the Tribunal's premises, dissemination of information on the Tribunal, and participation by representatives of the Tribunal in international legal meetings.

XVIII. Visits

131. During the period under review, the Tribunal received visitors, in particular, holders of political office, diplomats, members of judicial authorities, senior government officials, researchers, academics and lawyers.

XIX. Regional workshops

132. In the past, the Tribunal has organized a series of workshops on the settlement of disputes related to the law of the sea in different regions of the world. The purpose of the workshops is to provide government experts working on maritime and law of the sea matters with insight into the procedures for the settlement of disputes contained in part XV of the Convention, with special emphasis on the jurisdiction of the Tribunal and the procedural rules applicable to cases before the Tribunal.

133. A workshop was held in Mexico City on 5 and 6 June 2013, organized by the Tribunal, in cooperation with the Government of Mexico. The subject of the workshop was the role of the International Tribunal for the Law of the Sea in the settlement of disputes relating to the law of the sea in the Caribbean region. Representatives from Antigua and Barbuda, Barbados, Belize, Colombia, Costa Rica, Dominica, Dominican Republic, El Salvador, Guatemala, Guyana, Haiti, Jamaica, Mexico, Nicaragua, Panama, and Saint Kitts and Nevis attended the workshop.

XX. Summer academy

134. The International Foundation for the Law of the Sea held the seventh summer academy at Tribunal premises from 21 July to 16 August 2013. The academy focused on the theme "Uses and protection of the sea — legal, economic and natural science perspectives". Thirty-six participants from 33 different countries attended lectures on issues relating to both the law of the sea and maritime law. The lectures were given by Judges of the Tribunal as well as by experts, practitioners, representatives of international organizations and scientists.

XXI. Public information and website

135. The Tribunal publicized its work by means of its website, press releases and briefings by the Registry, and through the distribution of its judgments, orders and publications.

136. The website can be accessed at the following addresses: www.itlos.org and www.tidm.org. The texts of judgments and orders of the Tribunal and verbatim records of hearings are available on the website, together with other information about the Tribunal.

137. In 2013, judges and Registry staff members also delivered lectures and published papers on the work of the Tribunal.

Annex I

Information on staff (2013)

Professional and higher categories

Name	*Title*	*Country of nationality*	*Level of post*	*Level of incumbent*
Philippe Gautier	Registrar	Belgium	ASG	ASG
Doo-young Kim	Deputy Registrar	Republic of Korea	D-2	D-2
James Scharfer	Head of Linguistic Services	France	P-5	P-5
Ximena Hinrichs	Senior Legal Officer/Head of Legal Office	Chile	P-5	P-5
Louis Savadogo	Legal Officer	Burkina Faso	P-4	P-4
Elzbieta Mizerska-Dyba	Head of Library and Archives	Poland	P-4	P-4
Muriel Gross	Translator/Reviser	France	P-4	P-4
Kafui Gaba Kpayedo	Head of Personnel, Building and Security	Togo	P-4	P-4
Vacant	Legal Officer		P-4	
Alfred Gbadoe	Information Technology Officer	Germany	P-3	P-3
Jean-Luc Rostan	Translator (French)	France	P-3	P-3
Matthias Füracker	Legal Officer	Germany	P-3	P-3
Roman Ritter	Head of Budget and Finance	Germany	P-4	P-3
Julia Ritter[a]	Press Officer	United Kingdom of Great Britain and Northern Ireland	P-2	P-2
Yara Saab	Associate Legal Officer	Lebanon	P-2	P-2
Rosa Jimenez Sanchez	Associate Archivist	Spain	P-2	P-2
Vacant	Associate Administrative Officer (Contributions/Budget)		P-2	

[a] The post of Press Officer is occupied 50 per cent by the incumbent of the post, Ms. Ritter. The remaining 50 per cent is currently occupied by Ms. Anja Alsen on the basis of a temporary appointment.

Total posts: 17

General Service

Name	*Title*	*Country of nationality*	*Level of post*	*Level of incumbent*
Antje Vorbeck	Administrative Assistant (Personnel)	Germany	G-7	G-7
Andreas Bothe	Building Coordinator	Germany	G-7	G-7
Anke Egert	Publications/Personal Assistant (Registrar)	Germany	G-7	G-7
Jacqueline Winkelmann	Administrative Assistant (Procurement)	Germany	G-7	G-7
Patrice Mba	Information Systems Assistant	Cameroon	G-7	G-7
Ellen Nas	Personal Assistant (President)	Netherlands	G-6	G-6
Berit Albiez	Linguistic Assistant/Judiciary Support	Germany	G-6	G-6
Svitlana Hartmann-Vereshchak	Finance Assistant	Ukraine	G-6	G-6
Thorsten Naegler	Administrative Assistant (Contributions)	Germany	G-6	G-6
Elizabeth Karanja	Administrative Assistant	Kenya	G-6	G-6
Béatrice Koch	Linguistic Assistant/Judiciary Support	France	G-6	G-6
Gerardine Sadler	Administrative Assistant	Singapore	G-5	G-5
Emma Bartlett	Personnel Assistant	United Kingdom of Great Britain and Northern Ireland	G-5	G-5
Anne-Charlotte Borchert	Personal Assistant (Deputy Registrar)	France	G-5	G-5
Svenja Heim	Library Assistant	Germany	G-5	G-5
Henrik Boeck	Finance Assistant (Accounts Payable)	Denmark	G-5	G-5
Sven Duddek	Senior Security Officer/Building Superintendent	Germany	G-4	G-4
Inga Marzahn	Administrative Assistant	Germany	G-4	G-4
Papagne Aziamble	Administrative Support/Driver	Togo	G-4	G-4
Chuks Ntinugwa	Security Officer/Driver	Germany	G-3	G-3

Total posts: 20

Annex II

Information on interns (2013)

Name	*State*	*Period*
Jonas Attenhofer	Switzerland	August-October
Sophie Cuenot	France	April-June
Nazia Fahreen	Bangladesh	July-September
Mama Eva Fofana	Côte d'Ivoire	April-June
Nino Gagua	Georgia	October-December
Aline Jaeckel	Germany	January-March
Martin Meeus	Belgium	July-September
Georges Landry Ndji	Cameroon	April-June
Siqhamo Yamkela Ntola	South Africa	October-December
Rafael Oliveira Do Prado	Brazil	July-September
Christine Pichel	Mexico	January-March
Putri Arnita Rahmaniar	Indonesia	July-September
Emilia Ramazanova	Russian Federation	October-December
Ilse Thalía Reyes Tadillo	Mexico	October-December
Sanjeet Ruhal	India	April-June
Zaria Stoffman	Canada	May-July
Olga Theodoroglou	Greece	January-March
Tinatin Tsanava	Georgia	January-March
Marika Vilisaar	Estonia	July-September
Lihua Yu	China	October-December

Annex III

Information on Nippon fellows (2013-2014)

Nessrine Ayadi (Tunisia), 28

Ms. Ayadi holds a law degree (*Maitrise en science juridique*) from the University of Jendouba, Tunisia. She also graduated from the University Tunis Manar, where she successfully completed a master's degree in investigation (*Mastère de recherche*). Since February 2012, she has worked as a deputy chief of the Sea Affairs section at the Headquarters of the Tunisian Navy (*Armée de mer tunisienne*), Ministry of Defence. Her task is to administer texts and documentation in general concerning both Maritime Law and Law of the Sea, including maritime delimitation issues. Furthermore she acts as the link between various governmental institutions dealing with public services involving the sea. The title of her proposed research project is "*La délimitation des frontières maritimes Tuniso-Algériennes : un cas particulier d'entente entre deux États*" ["The Delimitation of the maritime boundaries between Tunisia and Algeria: a special instance of entente between two States"]. She was nominated by *Contre Amiral* Mohamed Khammassi, Chief of the Headquarters of the Tunisian Navy.

Celeste Ruth L Cembrano-Mallari (Philippines), 39

Ms. Cembrano-Mallari holds a Master of Laws (LLM) from the University of Fukoka, Japan, as well as a Bachelor of Laws (LLB) from the University of the Philippines, Quezon City. Since 2012 she has worked as a Law Reform Specialist in the University of the Philippines Law Center, University of the Philippines, Quezon City. There, she is responsible for preparing and supervising research activities related to the Institute and particularly to the Law of the Sea. Her institute sponsors several forums on Ocean Affairs, e.g. on the subjects of the Scarborough Shoal and the Tubbataha Reef. Her proposed topic of research is "An analysis on the Philippines' claim to parts of the Spratly Islands in the light of the legal and political developments in the Philippines". She was nominated by Mr. Harry L Roque, Director of the Institute of International Legal Studies, University of the Philippines Law Center.

Gabriela Heckler (Brazil), 29

Ms. Heckler holds a law degree (Bacharel) from the Universidade Regional de Blumenau, Brazil and a post-graduate degree in Procedural Law from the same University. Additionally, she holds a Master in Maritime Law from the Universidade do Vale do Itajaí, Brazil. At present she is engaged in PhD studies at the International Max Planck Research School for Maritime Affairs. Since 2010 she has been a University Lecturer at the Unidade de Ensino Superior Dom Bosco, Law University. Her main fields of law are Law of the Sea, Maritime Law and Environmental Law. Her responsibilities include part-time teaching and learning support; giving practical lectures and seminars to students; and developing courses. She has several publications to her credit, including contributions to books, articles in journals, and annals in congresses. The proposed title of her research project is "Bio-prospection on the High Seas and Deep Seabed in areas beyond national jurisdiction: gaps on legal regime". She was nominated by Prof. Dr. Natalino Salgado Filho, Rector of the

Federal University of Maranhão, as well as Ms. Maria Ceres Rodrigues Murad, Academic Director at the Unidadede Ensino Superior Dom Bosco, Brazil.

Ibrahim Islahiddine (Comoros), 30

Mr. Islahiddine holds a DEUG (*Diplôme d'études universitaires générales*) in international law and a *Maitrise* in international law, both from the University of Legal Sciences, Fes, Morocco. He has worked since 2011 in the Comorian Ministry of Foreign Affairs as Director for Europe and the European Union. As a legal officer in the Ministry of Foreign Affairs, he gives legal advice on all matters related to Public International Law. His proposed research topic concerns the "Delimitation of maritime boundaries". He was nominated by Ambassador Issmail Chanfi, Secretary General of the Ministry of Foreign Affairs.

Malek Mansour (Lebanon), 26

Mr. Mansour holds a licence in law (*Licence*) from St. Joseph University, Beirut, Lebanon, and a DESS (*diplôme d'études supérieures spécialisées*) from the Université Libanaise with a focus on dispute settlement. He is currently completing a Master in International Relations at St Joseph University in Beirut. Since 2012 he has worked for the Lebanese Ministry of Foreign Affairs and Emigrants in the Center of Legal Consultancy, Researches and Documentation. Moreover, since March 2013 he has also been working for the Directorate of International Organization of the same ministry. His main task is to advise and assist the Ministry in legal matters concerning documentation and International Organizations. His proposed research topic is "Challenges and options in resolving Lebanon's maritime Borders Disputes". He was nominated by Ambassador Afif Ayyub, Director of International Organizations, Ministry of Foreign Affairs and Emigrants, Lebanon.

Alma Gadiel Nnko (United Republic of Tanzania), 26

Ms. Nnko holds a Bachelor of Laws from Tumaini University, Arusha, Tanzania, and a Master of Laws (LLM) in International Law from Mzumbe University, Morogoro, Tanzania. In addition, she has undertaken post-graduate studies on dispute settlement at Arcadia University, Arusha, Tanzania. Currently, she is a legal adviser and researcher at the Deep Sea Fishing Authority located in Zanzibar, Tanzania, where she gives legal advice concerning Law of the Sea matters, specifically the environment, fisheries and dispute settlement. She also assists the legal office in the interpretation of legal instruments. Moreover, she gives lectures on the Law of the Sea at the Open University of Tanzania, Arusha. Her proposed research topic is "Critical analysis of the current Legal Framework on the protection of coastal environment (a case study of Tanzania)". Ms. Nnko was nominated by Ms. Wilhelmina Lymio Saria, Director of the Open University of Tanzania, and provided letters of recommendation from Judge James L Kateka, ITLOS, and Mr. Frank Nanyaro, Director General of the Deep Sea Fishing Authority of Tanzania.

Haryo Budi Nugroho (Indonesia), 26

Mr. Nugroho holds a law degree (*Sarjana Hukum*) with focus on Law in International Relations from the Fakultas Hukum Universitas Indonesia. In addition, he holds an LLM from the University of Virginia School of Law, USA, in Oceans

Law and Policy. He is expecting to receive a SJD degree (Doctor in Juridical Sciences) from the University of Virginia School of Law with specialization in Oceans Law and Policy. From 2009 to present, he has been a student researcher at the Center for Oceans Law and Policy at the University of Virginia School of Law. His main task is to support projects relating to the Law of the Sea, in particular the Virginia Commentary on State Practice regarding Dispute Settlement. The proposed title of his research is "South China Sea dispute: solving through ITLOS adjudication procedures and practical arrangements to hold ITLOS session in South East Asia". In the long run, he will return to the Ministry of Foreign Affairs of Indonesia to work in the Directorate General of Legal Affairs and Treaties. He was nominated by Professor Myron Nordquist, Associate Director and Editor of the Center for Oceans Law and Policy, University of Virginia School of Law. Mr. Nugroho provided a letter of recommendation from Prof. Nordquist as well as a request from Mr. Arif Havas Oegroseno, a former directorate officer at the Indonesian Ministry of Foreign Affairs.

Michel Bernard Rosemberg (Haiti), 34

Mr. Rosemberg holds a licence in law (*Licence*) from the Université d'Etat d'Haïti. Since 2012 he has been a legal adviser at the Maritime and Navigation Agency (*Service maritime et de navigation*). His tasks are to give legal advice on matters related to navigation and maritime services in general, and this often includes advice on typical Law of the Sea matters such as the territorial sea, the marine environment and pollution, among others. His proposed research topic is "*La protection du milieu marin*" ["Protection of the marine environment"]. He was nominated by Mr. Frerel Nornil, Director General of the *Service Maritime et de Navigation d'Haiti*.

Annex IV

List of donors to the Library of the International Tribunal for the Law of the Sea (as at 31 December 2013)

Division for Ocean Affairs and the Law of the Sea of the United Nations, New York

Scott B. Edmonds, President, International Mapping, Ellicott City, Maryland, United States of America

John Hare, University of Cape Town, Shipping Law Unit, Cape Town, South Africa

Inter-American Tropical Tuna Commission, La Jolla, California, United States of America

International Seabed Authority, Kingston

Japan Branch of the International Law Association, University of Tokyo, Faculty of Law, Tokyo

Tommy Koh, Agent of Singapore, Ambassador-At-Large of the Republic of Singapore, Singapore

Korea Maritime Institute, Korea Dokdo Research Center, Seoul

Mare, Die Zeitschrift der Meere, Hamburg, Germany

Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht, Heidelberg, Germany

Northwest Atlantic Fisheries Organization, Dartmouth, Nova Scotia, Canada

Rafael Clemente Oliveira do Prado, Sociedade Latino-Americana de Direito Internacional, Brazil

Professora Marta Chantal da Cunha Machado Ribeiro, Porto, Portugal

Stephan Mögle-Stadel, Germany

United Nations Educational, Scientific and Cultural Organization, Intergovernmental Oceanographic Commission, Paris

University of Tokyo, Tokyo

Walther-Schücking-Institut für Internationales Recht an der Universität Kiel, Kiel, Germany

World Trade Organization, Geneva.